

201706938

Thomas Leonardo

PO Leonardo responded to the scene of a traffic accident on August 21, 2017. While he and another officer were there, the daughter of a woman who had been in the accident asked both officers for their name and shield number, providing a pen and the reverse of a check to write on.

The woman stated that one officer provided his name and shield, but the other scribbled something illegible, though she was able to see the name “Leonardo” on his badge and she wrote that on the check herself.

The check looked like this:



PO Leonardo, in his CCRB interview, stated that he had written his name and shield number, then below written his name more clearly so the woman could read it. When asked multiple times in the interview if he had written the more clear version of “Leonardo,” he testified that he had.

By comparing the handwriting on the complainant (who had filled out a handwritten form at the start of the complaint process) to PO Leonardo’s memo book, the CCRB determined that the handwritten “Leonardo” matched the complainant’s handwriting and not PO Leonardo’s.

The CCRB found that PO Leonardo had failed to provide his name and badge number clearly and that there was evidence he had lied when he stated that he had written the name below.

The NYPD issued PO Leonardo a Command Discipline for the incident.

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Nathan Winshall	Team: Squad #3	CCRB Case #: 201706938	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Monday, 08/21/2017 7:55 PM	Location of Incident: [REDACTED]	Precinct: 122	18 Mo. SOL 2/21/2019	EO SOL 2/21/2019	
Date/Time CV Reported Tue, 08/22/2017 3:47 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Tue, 08/22/2017 3:47 PM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

Witness(es)	Home Address
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. POM Thomas Leonardo	02977	§ 87(2)(b)	122 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Andrew Panayiotou	07150	§ 87(2)(b)	122 PCT

Officer(s)	Allegation	Investigator Recommendation
A . POM Thomas Leonardo	Abuse of Authority: Police Officer Thomas Leonardo refused to provide his name and shield number to § 87(2)(b) [REDACTED].	A . § 87(2)(g) [REDACTED]
B . POM Thomas Leonardo	Other: There is evidence suggesting Police Officer Thomas Leonardo provided a false official statement in violation of PG 203-08.	B . § 87(2)(g) [REDACTED]

Case Summary

On August 22, 2017, § 87(2)(b) filed the following complaint with the CCRB online.

On August 21, 2017, at approximately 7:55 p.m., § 87(2)(b) and her sister, § 87(2)(b) arrived § 87(2)(b) in Staten Island at the scene of a vehicle accident in which their mother, § 87(2)(b) was a party. There, § 87(2)(b) requested that PO Thomas Leonardo, of the 122nd Precinct, provide his name and shield number. PO Leonardo responded, “Give me a pen and paper.” § 87(2)(b) provided PO Leonardo with a check on which to write his name. PO Leonardo then wrote his name and shield number illegibly on the back of the check and handed it back to § 87(2)(b) before leaving the scene of the accident (**Allegation A – Abuse of Authority, substantiated**). PO Leonardo then left the scene of the incident. In his CCRB interview, PO Leonardo provided a false official statement (**Allegation B – Other Misconduct Noted**). No arrests or summonses resulted from this incident.

No video footage was obtained for this incident.

Findings and Recommendations

Allegation (A) – Abuse of Authority – Police Officer Thomas Leonardo refused to provide his name and shield number to § 87(2)(b)

§ 87(2)(b) stated that she approached PO Leonardo and asked him to provide his name and shield number. She stated that PO Leonardo was “reluctant” to provide it to her, although she did not recall exactly how PO Leonardo responded to her request. Instead, PO Leonardo walked to the passenger seat of his police vehicle. § 87(2)(b) then asked PO Leonardo for his name and shield number a second time. PO Leonardo then raised his voice and said, “Give me a pen and paper.” § 87(2)(b) retrieved a check on the back of which PO Panayiotou had already written his name and gave it to PO Leonardo. § 87(2)(b) saw PO Leonardo “[scribble] down his name and badge number” on the back of the check. § 87(2)(b) was unable to read what was written but did not tell PO Leonardo that she could not read the handwriting. § 87(2)(b) wrote “Leonardo” in the bottom left-hand corner of the back of the check pictured below.

§ 87(2)(g) When PO Leonardo denied § 87(2)(b)'s first request for his name and shield number, PO Panayiotou then told PO Leonardo to provide his name and shield number to § 87(2)(b). PO Leonardo yelled at § 87(2)(b) stating, “Give me a fucking pen and paper.” § 87(2)(b) did not allege that PO Leonardo used profanity toward her, therefore, this allegation was not pleaded.) PO Leonardo then wrote “Police 2017” on the piece of paper. § 87(2)(b) did not further question PO Leonardo about what he had written as she did not look at the piece of paper until PO Leonardo had already left.

§ 87(2)(b) stated that PO Leonardo wrote down his name for her daughter but that she could not read it because she could not read English (Board Review 12).

§ 87(2)(b) did not provide a statement to the CCRB.

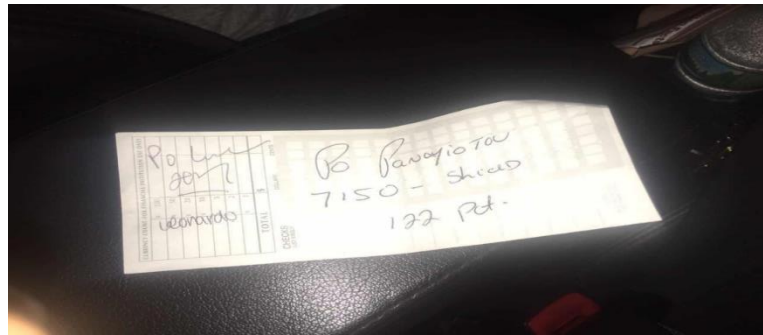
PO Leonardo stated that § 87(2)(b) requested his name and shield number from him. In response, he attempted to provide § 87(2)(b) with his

contact card but she refused it. PO Leonardo also provided his name and shield number verbally and by writing on a piece of paper that she provided for him. He denied ever interacting with anyone other than § 87(2)(b). PO Leonardo also wrote “Leonardo” in the bottom left-hand corner of the back of the check below where he signed his name and wrote his shield number. PO Leonardo did not recognize photographs of § 87(2)(b) and § 87(2)(b) that were shown to him.

PO Leonardo’s memo book is consistent with his CCRB Statement (Board Review 01).

PO Panayiotou retired before his CCRB interview could be scheduled.

§ 87(2)(b) provided the following photograph which displays the back of the check on which names and numbers have been written in various handwritings. On the right half of the back of the check “PO Panayiotou” is written, underneath which is written “7150 – Shield.” Underneath that is written “122 pct.” It is undisputed that that this is written in PO Panayiotou’s handwriting. In a different handwriting, in the upper-left-hand corner of the back of the check is written “PO [illegible].” The word next to PO appears to begin with an “L” with the rest of the letters undistinguishable. Underneath that is written what appears to be a four digit number that begins with a two and ends with a seven. It is undisputed that PO Leonardo wrote this. In the bottom-left-hand corner of the piece of paper, in a third handwriting is written “Leonardo” (Board Review 02).



In PO Leonardo’s memo book and in the pedigree sheet he filled out before his CCRB interview, PO Leonardo exclusively writes using capital letters (Board Review 01 and Board Review 03). On both documents he has written his last name, Leonardo. On the verification form for § 87(2)(b)’s CCRB interview, she printed her first and last name (Board Review 04).

According to Patrol Guide Procedure 203-09, officers must courteously and clearly state their name and shield number or otherwise provide them, to anyone who requests them to do so (Board Review 05).

The lowercase “a,” “o,” “r,” “n,” and “d” that § 87(2)(b) wrote to spell her last name on her verification form are written in the same handwriting as that which was used to write “Leonardo” on the piece of paper. Additionally, not only is PO Leonardo’s handwriting different from the handwriting responsible for “Leonardo,” but his stylistic decisions differ as well. “Leonardo” is written according to standard English grammar whereby the first letter of the proper noun is capitalized and is followed by lowercase letters. This differs from PO Leonardo’s practice of writing all his letters, including when writing his name, as capitalized. § 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

Allegation (B) – Other Misconduct – There is evidence suggesting Police Officer Thomas Leonardo provided a false official statement in violation of PG 203-08.

The CCRB recommends that the NYPD conduct further investigation as there is evidence to suggest that PO Leonardo provided a false official statement. A spin-off case was referred to IAB via CCRB #201800970. The evidence is as follows:

In PO Leonardo's sworn CCRB statement, the following interaction occurred. Referring to same picture shown above, Inv. Winshall asked, "Did you at all write on this piece of paper?" PO Leonardo responded, "Here, Leonardo." PO Winshall replied, "What are you indicating?" PO Leonardo responded, "My name." Inv. Winshall asked, "So it's just the... the, ummm... 'Leonardo,' the cursive written in the bottom-left-hand corner of the piece of paper?" No response is on the recording. Inv. Winshall then continued, "Okay, do you know who wrote what is written right above that?" PO Leonardo responded, "Yea. Me." PBA Representative Louis Albert then interjected, "Wait, hold on, hold on. There's a lot of writing on this thing. The name 'Leonardo,' is that your hand-writing?" PO Leonardo responded, "Yea." Mr. Albert then asked, "What about this shield number, 2977, is that yours?" PO Leonardo responded, "Yes." Mr. Albert then stated, "What about whatever that says up there, PO Something, is that your handwriting?" PO Leonardo responded, "Yea." Inv. Winshall then asked, "So you wrote everything on the left-hand side of the paper, so that's the 'PO something-written-after-that,' the scrawl written beneath that, and the cursive 'Leonardo,' that was all your hand-writing?" PO Leonardo responded, "Mhm" (to signal an affirmative response).

Patrol Guide Procedure 203-08 prohibits officers from intentionally making false official statements and will be subject to disciplinary action up to and including dismissal for doing so (Board Review 06).

§ 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is § 87(2)(b) and § 87(2)(b)'s first CCRB complaint (Board Review 07 and Board Review 08)
- PO Leonardo has been the subject of one other complaint, CCRB Case #201709975, which generated one allegation. In CCRB Case #201709975, PO Leonardo also responded to a 9-1-1 call from an Asian-American woman and provided his shield number as "1234."

Mediation, Civil and Criminal Histories

- § 87(2)(b) and § 87(2)(b) initially accepted mediation. Once it was sent to mediation, § 87(2)(b) changed her mind and decided she wanted to have the case investigated.
- Neither § 87(2)(b) nor § 87(2)(b) has any criminal convictions (Board Review 09 and Board Review 10).
- On February 8, 2018, the NYC Comptroller's office confirmed that neither § 87(2)(b) nor § 87(2)(b) has filed a Notice of Claims regarding this incident (Board Review 11).

Squad No.: 3

Investigator:	_____ Signature	_____ Print Title & Name	_____ Date
Squad Leader:	_____ Signature	_____ Print Title & Name	_____ Date
Reviewer:	_____ Signature	_____ Print Title & Name	_____ Date